

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

MICHAEL DUANE SMITH,

Plaintiff,

Case No. 05-70467

v.

District Judge Arthur J. Tarnow
Magistrate Judge R. Steven Whalen

CITY OF MOUNT CLEMENS,
a Municipal Corporation, et al.,

Defendants.

ORDER GRANTING MOTION TO COMPEL

Before the Court is Plaintiff's Motion to Compel Discovery [Docket #24]. Plaintiff is proceeding in this case *pro se*. Defendants' response was premised not on substantive objections, but on the pendency of dispositive motions which might render the discovery requests moot. Since the filing of the motion and response, Defendant Andrews has survived dismissal at least in part, and, although the Mount Clemens Police Department has been dismissed, the City of Mount Clemens was substituted as the real party in interest. The District Judge extended discovery until April 4, 2006. On today's date, the Court has also entered an order granting the Defendants' motion to compel discovery.

The interrogatories in question will be deemed to have been directed at Defendant Andrews and Defendant City of Mount Clemens. As such, Plaintiff's Motion to Compel [Docket #24] will be GRANTED.

SO ORDERED.

S/R. Steven Whalen
R. STEVEN WHALEN
UNITED STATES MAGISTRATE JUDGE

Dated: March 6, 2006

CERTIFICATE OF SERVICE

The undersigned certifies that a copy of the foregoing order was served on the attorneys and/or parties of record by electronic means or U.S. Mail on March 6, 2006.

S/Gina Wilson
Judicial Assistant